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11 UNITED STATES DISTRICT COURT  
12 SOUTHERN DISTRICT OF CALIFORNIA

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15 UNITED STATES OF AMERICA, ) Case No. 08cr0511-BEN  
16 Plaintiff, ) JOINT MOTION AND  
17 v. ) STIPULATION  
18 ) REGARDING MODIFICATION OF CONDITIONS  
19 MARK ALAN KOUNTZ, ) OF PRETRIAL RELEASE  
20 Defendant. )  
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24 **IT IS HEREBY STIPULATED** by and between the Plaintiff, the United States of America,  
25 by and through its counsel, Karen P. Hewitt, United States Attorney, and Timothy F. Salel, Assistant United  
26 States Attorney, and the defendant, Mark Alan Kountz, by and through his attorney, Casey Donovan, Esq.,  
27 that the following conditions of pretrial release, as set by this court on March 14, 2008, are modified:  
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It was ordered that the defendant's travel during pretrial release shall be confined to the

1 Southern District of California. Mr. Kountz needs to travel as part of his employment, and also to attend long  
2 planned family function in the state of Pennsylvania. Thus the parties agree to expand his travel conditions  
3 permit Mr. Kountz to travel anywhere within the entire United States.

4 Counsel has spoken to Brian Kountz by telephone and he has agreed to remain the surety in  
5 this case with the full understanding that he may now travel anywhere in the United States during the period  
6 of pre trial release. He has given counsel permission to electronically sign his name to this motion. Brian  
7 Kountz is presently traveling for work purposes in Australia, and will not be returning to the United States  
8 until May 8, 2008. Counsel has also spoken to the defendant, Mark Kountz, who also acknowledges that his  
9 bond has been modified to permit him to travel anywhere within the United States, and has given permission  
10 to electronically sing his name to this motion. Counsel has also spoken to assistant United States Attorney,  
11 Timothy F. Salel and informed him of counsel's conversations with both Brian Kountz, the surety, and Mark  
12 Kountz, the defendant, and agrees to their signatures appearing electronically on this motion.

13 **IT IS SO STIPULATED AND AGREED..**

14

15 Dated 4/28/08 S/ Casey Donovan  
16 **CASEY DONOVAN**  
17 Attorney for defendant Mark Alan Kountz

18 Dated 4/28/08 S/ Mark Alan Kountz  
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20 **MARK ALAN KOUNTZ**  
21 Defendant

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23 Dated 4/28/08 S/ Brian Kountz  
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25 **BRIAN KOUNTZ**  
26 Surety

27

28 Dated: 4/28/08 S/ Timothy F. Salel  
29 **TIMOTHY F. SALEL**  
30 Assistant United States Attorney

1 DONOVAN & DONOVAN  
2 Casey Donovan  
3 Attorney at Law  
4 The Senator Building  
5 105 West F. Street - 4th floor  
6 San Diego, CA 92101

U.S.D.C. No.08-CR-0511-BEN

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DECLARATION OF SERVICE

I, undersigned, say: I am over 18 years of age, employed in the County of San Diego, California, in which county the within mentioned delivery occurred, and not a party to the subject cause. My business address is 105 West F. Street, San Diego, California. I served the Defendant's Joint Motion and Stipulation to modify conditions of bond to permit travel, of which a true and correct copy of the documents filed in this cause is affixed, by electronic filing to:

Timothy F. Salel, Assistant U.S. Attorney  
Office of the United States Attorney  
880 Front Street, Room 6293  
San Diego, CA 92188

The electronic filing was done by me at San Diego, California, on April 28, 2008.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on April 28, 2008 at San Diego, California.

s/ Casey Donovan

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Casey Donovan